

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 22, 2014**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-647](#). Franklin Prillerman v. State of Arkansas, from Lonoke County Circuit Court. Reversed and dismissed. Wood and Brown, JJ., agree.

[CV-13-684](#). Danny Burton v. Chartis Claims, Inc., and Robinson Aviation, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Wood and Brown, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CV-13-566](#). Terry W. Terrell v. Frederick C. Hager and Sharon T. Hager, from Polk County Circuit Court. Affirmed. Pittman and Hixson, JJ., agree

BRANDON J. HARRISON, JUDGE:

[CR-13-373](#). Allen Henson v. State of Arkansas, from Saline County Circuit Court. Affirmed. Gruber and Wood, JJ., agree.

[CR-13-415](#). Rodney Steven Fletcher v. State of Arkansas, from Fulton County Circuit Court. Affirmed. Wynne and Glover, JJ., agree.

[CV-12-953](#). Lori Erwin v. Shelby Lee Frost, Individually and as Trustee of the Donald Ross and Shelby Lee Frost Revocable Living Trust, from Scott County Circuit Court. Affirmed. Wynne and Glover, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CR-13-837](#). Quincel McGuire v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Harrison and Glover, JJ., agree.

[CV-13-581](#). Ronnie Willcutt, Larry F. Willcutt, Marsha Kay Willcutt, and Nadine Willcutt v. Ricky D. Houston and Sherry L. Houston, from Conway County Circuit Court. Affirmed. Harrison and Glover, JJ., agree.

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#### **RITA W. GRUBER, JUDGE:**

[CR-13-624](#). Christopher Sullivan v. State of Arkansas, from Crawford County Circuit Court. Reversed and dismissed. Whiteaker and Vaught, JJ., agree.

[CV-12-1035](#). Chesapeake Exploration, LLC v. Thomas Whillock and Gayla Whillock, from Van Buren County Circuit Court. Affirmed in part and reversed and remanded in part on direct appeal; reversed and remanded on cross-appeal. Whiteaker and Vaught, JJ., agree.

#### **DAVID M. GLOVER, JUDGE:**

[CR-13-400](#). Michael Ellis v. State of Arkansas, from Drew County Circuit Court. Affirmed. Harrison and Wynne, JJ., agree.

[CV-13-725](#). Jessica Webb v. Letha's Pies and FirstComp Insurance, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Wynne, JJ., agree.

#### **PHILLIP T. WHITEAKER, JUDGE:**

[CV-13-634](#). Sarah Preston v. David H. Preston, from Union County Circuit Court. Affirmed. Gruber and Vaught, JJ., agree.

[CV-13-651](#). J.C. Lookabaugh v. Hanna Oil and Gas Company, from Sebastian County Circuit Court, Fort Smith District. Rebriefing ordered. Gruber and Vaught, JJ., agree.

#### **LARRY D. VAUGHT, JUDGE:**

[CR-12-843](#). Maurice Jefferson v. State of Arkansas, from Crittenden County Circuit Court. Revocation affirmed; motion to withdraw granted. Walmsley, Harrison, Gruber, Glover, and Wood, JJ., agree.

[CR-13-433](#). Anthony Norvelle Coleman v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Walmsley, Harrison, Gruber, Glover, and Wood, JJ., agree.

[CV-13-723](#). John Williams v. Baldor Electric Company and Sedgwick Insurance, from the Arkansas Workers' Compensation Commission. Affirmed. Gruber and Whiteaker, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-13-95](#). Steven Wayne Jerry v. Jimmie Dell Jerry, from Union County Circuit Court. Appeal dismissed. Pittman and Walmsley, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CR-13-513](#). Vanquisha Robinson v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed. Gladwin, C.J., and Brown, J., agree.

[CV-13-397](#). Joshlin Brothers Irrigation v. Sunbelt Rental, Inc.; Nationsrent; Water Boy Products, Inc.; and Robert Joshlin, from Monroe County Circuit Court. Affirmed. Gladwin, C.J., and Brown, J., agree.

WAYMOND M. BROWN, JUDGE:

[CR-12-324](#). Lawrence Schmitt v. State of Arkansas, from Benton County Circuit Court. Affirmed; motion to withdraw granted. Gladwin, C.J., and Wood, J., agree.

[CV-13-275](#). Danielle Kira Adams v. Rebecca Roseann Adams, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Wood, J., agree.

PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

- E-13-505. Raunel Arce v. Director et al.
- E-13-569. Ralph M. Smith v. Director et al.
- E-13-570. Wykiki Greene v. Director et al.
- E-13-571. Lucy Moore v. Director et al.
- E-13-572. Kristi Bragg v. Director et al.
- E-13-573. Spencer Sipple v. Director et al.

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- E-13-574. Sylvester Pitts v. Director et al.
- E-13-575. Meagan Pearson v. Director et al.
- E-13-576. Linda Carter v. Director et al.
- E-13-577. Timothy Hacker v. Director et al.
- E-13-578. Cody Reynolds v. Director et al.
- E-13-579. Anthony Davis v. Director et al.
- E-13-580. Tonda Keys v. Director et al.
- E-13-581. Arthur Roy Johnson v. Director et al.
- E-13-582. Nannette E. Dunkerson v. Director et al.
- E-13-583. Thomas Sullivan v. Director et al.
- E-13-584. Crystal C. Hooks v. Director et al.
- E-13-585. Macus Marion v. Director et al.
- E-13-586. Ava Johnson v. Director et al.
- E-13-587. Harley Davidson Laws v. Director et al.
- E-13-588. Betty Sue Jones v. Director et al.
- E-13-589. Mitchell Taylor v. Director et al.
- E-13-590. Amy Bostick v. Director et al.
- E-13-591. Debra Barnes v. Director et al.

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**PER CURIAM ORDERS**

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-12-1016. John Gerard d/b/a Quality Construction v. Jason Novak and Brittney Novak, from Lonoke County Circuit Court.

CV-13-346. Vernon Hardesty and Martha Hardesty v. Baptist Health d/b/a/ Health Medical Center, Dr. Raymond Rammel, and Patrick O'Connell, R.N., from Pulaski County Circuit Court, Seventeenth Division.

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CR-12-20. Terry Douglas Reed v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Lesley Freeman Burleson for attorney's fees is granted. Allowed \$1,500.00.

CR-12-20. Terry Douglas Reed v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Lesley Freeman Burleson to withdraw as counsel for appellant is granted.

CR-12-404. Michael Dewayne Copeland v. State of Arkansas, from Ouachita County Circuit Court. Motion of Steven R. Davis for attorney's fees is granted. Allowed \$1,800.00.

CR-13-774. Reggie Terrell Blair v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Resubmission of motion to substitute Gene E. McKissic as counsel for appellant is granted.

CV-12-1084. Harold Bud Ward v. Linda Ward Tuton, from Pulaski County Circuit Court, Seventeenth Division. Bankruptcy status report noted. Appellee's brief due February 21, 2014.

CV-13-346. Vernon Hardesty and Martha Hardesty v. Baptist Health d/b/a/ Health Medical Center, Dr. Raymond Rammel, and Patrick O'Connell, R.N., from Pulaski County Circuit Court, Seventeenth Division. Request of Arkansas Trial Lawyers Association to join appellants' petition for rehearing. Moot. Glover, J., not participating.

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**PER CURIAM ORDERS**

CV-13-372. Guy Czajka v. Butterball Turkey, LLC, and Ace American Insurance, from the Arkansas Workers' Compensation Commission. Appellant's pro se motion for reconsideration of appellant's prior motion for court's acceptance of the appellant's brief "as is" is denied.

CV-13-785. Troy Russell Johnson et al. v. Henk De Kros et al., from Pulaski County Circuit Court, Second Division. Appellees' motion to supplement the record and stay briefing time is granted.

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**MOTIONS SUBMITTED**

CR-12-736. Aaron Anthony Flemons v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Pro se motion for transcript.

CR-12-867. Aaron Anthony Flemons v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Pro se motion for transcript.

CR-13-650. John Anthony Houston v. State of Arkansas, from Cleburne County Circuit Court. Appellant's pro se motion to file additional points.

CR-13-682. Calvin Jerome Stover v. State of Arkansas, from Benton County Circuit Court. Pro se motion for substitution of counsel.

CR-13-682. Calvin Jerome Stover v. State of Arkansas, from Benton County Circuit Court. Pro se motion to amend or add to filed brief.

CR-13-783. Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal.

CR-13-783. Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for new briefing schedule.

CR-13-816. Jarrod William Holmes v. State of Arkansas, from Saline County Circuit Court. Pro se motion to relieve counsel.

CR-13-892 and CR-13-932. Tracy Land Davis v. State of Arkansas, from Union County Circuit Court. Appellant's motion to consolidate CR-13-892 and CR-13-932 or in the alternative a petition for writ of certiorari to complete the record.

CR-13-960. Tom Buck Steele v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's motion for excusal from copying child pornography.

CR-13-1022. Roy Lee Russell v. State of Arkansas, from Desha County Circuit Court. Pro se motion for duplication at state expense.

CV-11-566. Gary Howard, Individually, and as Administrator of the Estate of Odis Howard v. Lauren Adams, Don Brady, Todd Mazzanti, and Adams & Brady & Jackson, P.L.L.C., from Benton County Circuit Court. Appellant's motion to show cause.

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**MOTIONS SUBMITTED**

CV-13-309. Tim Clark v. Southern Farm Bureau Casualty Insurance Co., Inc., from Pulaski County Circuit Court, Seventeenth Division. Appellee's second motion to dismiss appeal.

CV-13-590. Kenneth Brooks and Ella Louis Brooks v. Terry Abstract Co., and Centerpoint Energy Gas Transmission Co., LLC, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion for leave to file belated reply brief.

CV-13-734. Ray Walker v. Fresenius Medical Care Holding, Inc., et al., from the Arkansas Workers' Compensation Commission. Appellees' motion to file belated brief and for extension of time to file brief.

CV-13-1060. Chris Gamble v. Wes Wagner, from Craighead County Circuit Court, Western District. Appellant's motion to supplement the record and motion for extension of time.

E-14-27. Edna Osborn v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal.



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**CASES SUBMITTED**

CR-13-384. Leonard Bean v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Orally argued.

CR-13-129. Juan Carlos Martinez v. State of Arkansas, from Benton County Circuit Court.

CR-13-211. Robert Lee Fellows v. State of Arkansas, from Hempstead County Circuit Court.

CR-13-225. Shaun Lamond Washington v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-13-600. Mark Davis Stone v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-13-612. Melody Jane Blankenship v. State of Arkansas, from Crawford County Circuit Court.

CR-13-616. Kenneth Norwood v. State of Arkansas, from Grant County Circuit Court.

CR-13-639. Joe King, II v. State of Arkansas, from Polk County Circuit Court.

CV-12-450. George Hobson v. Entergy Arkansas, Inc., from Pulaski County Circuit Court, Sixth Division.

CV-13-379. Janann Johnson v. Windstream Communications, Inc., from Pulaski County Circuit Court, Sixth Division.

CV-13-386. Roger Maxwell Wainwright v. Nancy Wainwright (Merryman), from Van Buren County Circuit Court.

CV-13-465. Eric Leroy Massey v. Kristi Michelle Massey, from Faulkner County Circuit Court.

CV-13-487. St. John's Regional Health Center and Sisters of Mercy Health v. Gregory Dale Bartlett, from the Arkansas Workers' Compensation Commission.

CV-13-506. Elizabeth Arnoult v. Edward Arnoult, from Craighead County Circuit Court.

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**CASES SUBMITTED**

CV-13-577. Trustees of the Pruitt Family Trust v. Anita E. Gladden and Allen H. Gladden, husband and wife, and as Co-Trustees of the Anita E. Gladden Trust; Mark McClure and Kim McClure, husband and wife; and Garland County, Arkansas, from Garland County Circuit Court.

CV-13-580. Britany McElroy and Brandon Fritter v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

CV-13-611. Larry Darnell Walton v. Deborah Warren Walton, from St. Francis County Circuit Court.

CV-13-731. Jeremy A. Royal, Deceased v. Bypass Diesel & Wrecker, Inc., from the Arkansas Workers' Compensation Commission.

CV-13-732. Ryburn Motor Company v. Richard Douglas Atkins, from the Arkansas Workers' Compensation Commission.

CV-13-746. Risie Howard et al. v. C & L Used Car Lot et al., from Jefferson County Circuit Court.

CV-13-768. Quick-It Enterprises, Inc. v. A.D. Dorsey, from the Arkansas Workers' Compensation Commission.

CV-13-859. Claudine Lockridge v. Arkansas Department of Human Services, from Craighead County Circuit Court, Western District.

CV-13-904. Charis McKay v. Arkansas Department of Human Services, from Conway County Circuit Court.

CV-13-907. Daniel White v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Eighth Division.

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**The following cases are appeals from the Arkansas Board of Review.**

- E-13-629. Kadegdra Ford v. Director et al.
- E-13-630. Curtis Campbell v. Director et al.
- E-13-631. Justin Betts v. Director et al.
- E-13-632. Jan Christine Greenlee v. Director et al.
- E-13-633. Paul Coby v. Director et al.
- E-13-634. Pamela Baggett v. Director et al.
- E-13-635. Katrina Donald v. Director et al.
- E-13-636. Margaret Binz v. Director et al.
- E-13-637. Shawn A. Messick v. Director et al.
- E-13-638. Rose Lewis v. Director et al.
- E-13-639. Loretta Robinson v. Director et al.
- E-13-640. Demario Tanner v. Director et al.
- E-13-641. Marilyne Nix v. Director et al.
- E-13-642. Pamela Richey v. Director et al.
- E-13-643. Barbara Jordan v. Director et al.
- E-13-644. Andra D. Watson v. Director et al.
- E-13-645. Beverly Cooper v. Director et al.
- E-13-646. Gary Buttrum v. Director et al.

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E-13-647. Portia Casey v. Director et al.

E-13-648. Justin Perkins v. Director et al.

E-13-649. Beverly Petty v. Director et al.

E-13-650. Shannon Williams v. Director et al.

E-13-651. Jeff Bettis v. Director et al.

E-13-652. Jesus Ruiz v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>